

Atty. Dkt. No. SALK1520-2  
(088802-8752)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Evans et al.

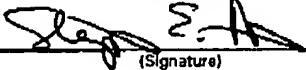
Title: METHOD FOR MODULATING  
EXPRESSION OF EXOGENOUS  
GENES IN MAMMALIAN  
SYSTEMS, AND PRODUCTS  
RELATED THERETO

Appl. No.: 09/042,488

Filing Date: 03/16/1998

Examiner: S. Kaushal

Art Unit: 1636

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.	
<u>Stephen E. Reiter</u>	
(Printed Name)	
<u></u>	
(Signature)	
<u>December 13, 2002</u>	
(Date of Deposit)	

**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Washington, D.C. 20231  
BOX AF

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Applicants claim small entity status under 37 CFR 1.27.

[ X ] A Petition for Extension of time is enclosed.

[ X ] The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	53	—	55	=	0	x	\$18.00	=	\$0.00
Independents:	16	—	16	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$0.00

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Atty. Dkt. No. SALK1520-2  
(088802-8752)

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$110.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$55.00
TOTAL FEE:			\$55.00

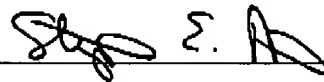
- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$55.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: December 13, 2002

By



FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

#40  
Amend A  
&  
(ne)**RESPONSE UNDER 37 C.F.R. § 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 1636**

PATENT

Attorney Docket No.: SALK1520-2  
(088802-8752)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Evans et al.

Application No.: 09/042,488

Confirmation No.: 5034

Filing Date: March 16, 1998

For: METHOD FOR MODULATING  
EXPRESSION OF EXOGENOUS GENES  
IN MAMMALIAN SYSTEMS, AND  
PRODUCTS RELATED THERETO

Group Art Unit: 1636

Examiner: S. Kaushal

**CERTIFICATE OF FACSIMILE TRANSMISSION**I hereby certify that this paper is being facsimile transmitted to  
the United States Patent and Trademark Office, Washington,  
D.C., on the date below.

Stephen E. Reiter

Printed Name

Signature

December 13, 2002

Date

**BOX AF**Commissioner for Patents  
Washington, D.C. 20231**RESPONSE UNDER 37 C.F.R. § 1.116**

Sir:

Responsive to the Office Action mailed August 13, 2002, please consider the following amendments and remarks. This response is timely as it is accompanied by a petition and the appropriate fee to extend the time for response to December 13, 2002 (one-month extension).

**In the claims:**

Please replace claims 1, 4, 5, 11, 22-24, 47-52, 54, 58, 59, 61, and 67-77 with the following amended versions thereof:

Do not enter  
12/13/02 - su